

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
August 5, 2008**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. Approval of the regular meeting minutes of July 15, 2008
  - B. Acceptance of the minutes of the Planning Commission meeting held July 10, 2008
  - C. Approval of a proclamation declaring August 16, 2008 as 'Kevin Pohawpatchoko Day' in the City of Broken Arrow
  - D. Approval of calendar year 2008 Amended City Meeting Calendar
  - E. Approval of and authorization to execute Budget Amendment No. 1 for Fiscal Year 2008-2009
  - F. Approval of Resolution No. 530 authorizing the City Attorney to agree to entry of judgment in the case of The City of Broken Arrow, Oklahoma v. H. Maurice Marquette, et al., Tulsa County District Court Case Number CJ-2007-348 and directing the City Attorney to prepare and file the necessary documents to effectuate the settlement, including a Journal Entry for the Court's approval, pursuant to 51 O.S. § 158
  - G. Approval of Resolution No. 531 authorizing the City Attorney to agree to entry of judgment in the case of The City of Broken Arrow, Oklahoma v. H. Maurice Marquette, Michael Dale Chambers, et al., Tulsa County District Court Case Number CJ-2007-349, and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry for the Court's approval, pursuant to 51 O.S. § 158
  - H. Approval of Resolution No. 533 confirming the publication of the City of Broken Arrow's Zoning Code of Ordinances
  - I. Approval of and authorization to execute a Letter of Intent to negotiate exclusively with Stoney Creek Hospitality Corporation for construction and operation of a hotel-conference center
  - J. Approval of and authorization to execute a Memorandum of Understanding concerning wireless fee remissions between Indian Nations Council of Governments and the City of Broken Arrow
  - K. Approval of and authorization to execute a City of Broken Arrow Services Contract between the City and the Broken Arrow Seniors, Inc. (BASI), for providing educational, recreational, social and nutritional programs for senior citizens from July 1, 2008 through June 30, 2009
  - L. Approval of and authorization to execute a City of Broken Arrow Services Contract between the City and Domestic Violence Intervention Services (DVIS), for the provision of a full-time counselor from July 1, 2008 through June 30, 2009

- M. Approval of and authorization to execute a Clinical Rotation Agreement for EMS students, between the City of Broken Arrow and the Board of Regents of the University of Oklahoma on behalf of Rogers State University, from July 1, 2008 through June 30, 2009
- N. Approval of and authorization to execute a Parks and Recreation Use Agreement between the City and the Broken Arrow Community Playhouse(BACP), for use of the Community Playhouse in the Main Place complex, from July 1, 2008 through June 30, 2010
- O. Approval of and authorization to execute a Parks and Recreation Use Agreement between the City and the Broken Arrow Seniors Inc. (BASI), for use of Building B and Room 110 in the Main Place complex, from date of execution through September 30, 2009
- P. Approval of Exemption Waiver pursuant to Section 16-12, C-4 of the Broken Arrow Code, to allow Lithco Construction to conduct concrete pours at night due to daytime temperatures exceeding 90 degrees, between the hours of 10:00 p.m. and 7:00 a.m. on August 7, 12, 15 and 21, 2008
- Q. Approval of BAZ 1804, 1.25 acres, 1 lot, A-RMH to RMH, one-half mile east of 37th Street (209th E. Avenue), one-half mile north of Omaha Street (51st Street) at 21380 East 47th Street, in the Sun City II Addition
- R. Approval of BAZ 1806, 0.98 acres, 1 lot, A-RMH to RMH, one-fourth mile east of 37th Street (209th E. Avenue), and one-eighth mile north of Omaha Street (51st Street) at 21321 E. 49th Street, in the Sun City I Addition
- S. Approval of PT08-107, Conditional Final Plat for Lynn Lane Commercial Center of Broken Arrow, 5.48 acres, 2 lots, CH, north of the northwest corner of Kenosha Street (71st Street) and 9th Street (Lynn Lane/177th E. Avenue)
- T. Approval of PT08-109, Conditional Final Plat of Midfirst at Lynn Lane, 1.45 acres, 1 lot, CG, northwest corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th E. Avenue)
- U. Approval of PUD 180A, Major Amendment, Tuscan Plaza, 9.58 acres, 3 lots, CG and PUD 180A, southeast corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th E. Avenue)
- V. Approval bids received and award of the most advantageous bid for a Breathing Air Cascade System for Fire Station No. 6 to Compare Mako, and authorization to execute Budget Amendment No. 2 for Fiscal Year 2008-2009
- W. Approval of bids received and award of the most advantageous bid to L & M Furniture for office cubicles at the Police Department
- X. Approval of rejection of bids for the Marquee Sign - Nienhuis Park, and specifically find that the interests of the citizens of Broken Arrow are served by rejection
- Y. Acceptance of a Sewer Line Easement from M & L Terra, LLC (S13 T18N R14E) (Project: M & L Terra, LLC)
- Z. Acceptance of a General Warranty Deed from James Eugene Riley, Trustee of the Revocable Living Trust of James Eugene Riley Dated July 15, 2003 (S17 T18N R14E) (Project: N&S Olive Avenue between Washington Street & Houston Street) (ST0522)
- AA. Acceptance of a General Warranty Deed from Wagoner County Miracle Of Faith Holiness Church, Inc. (S31 T19N R15E) (Project: Intersection Improvements Omaha Street & N. 23 Street)

BB. Acceptance of a General Warranty Deed from Peter O. Worline and Patricia N. Worline (S18 T18N R15E) (Project: Washington Street Extension from 23 Street to SH51)

CC. Approval of the Claims List

**6. Consideration of Items Removed from Consent Agenda**

**7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**

- A. Presentation: Metropolitan Tulsa Transit Authority report on the status of Bus Route No. 508 and Express Route No. 902

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**

**9. General Council Business**

- A. Consideration, possible approval of and authorization to execute Budget Amendment No. 3 for Fiscal Year 2008-2009 for the purpose of redefining projects included in the Fiscal Year 2008-2009 Budget
- B. Consideration, possible approval of and authorization to execute Resolution No. 532 casting a vote for one Trustee of the Oklahoma Municipal Retirement Fund to fill the expiring term of one Trustee
- C. Consideration, possible approval of and authorization to execute Resolution No. 534 requesting programming of Tulsa Urbanized Area Surface Transportation Funds for 23rd Street improvements between Kenosha and Houston Streets
- D. Consideration, possible approval of and authorization to execute the 2008-09 Labor Agreement between the Communication Workers' of America District 6 and the City of Broken Arrow
- E. Consideration, possible approval of and authorization to execute Community Development Block Grant (CDBG) Fiscal Year 2008 Social Services allocation recommendation: Broken Arrow Neighbors \$16,756; Broken Arrow Seniors \$12,567; Margaret Hudson Program \$11,805; Family & Children's Services \$8,378; Child Abuse Network \$7,016; Rhoades Elementary School Before/After School Tutoring \$4,500; Arrow Springs Elementary School After School Tutoring \$3,373; Treetops Outreach \$3,105
- F. Consideration, possible approval of and authorization to execute a contract for economic development services with the Broken Arrow Economic Development Corporation, from July 1, 2008 through June 30, 2009
- G. Consideration and possible action on proposed changes in cemetery charges for sale of lots/spaces and services
- H. Consideration and possible action to approve the Steeplechase Farms Storm Improvement Plans for potential assessment district

**10. City Manager's Report**

- A. Development of City Wide Environmental Action Plan

**11. Preview Ordinances**

- A. An ordinance amending Chapter 7, Article VI, Section 7-120 of the Broken Arrow Code pertaining to Massage Applications; repealing all ordinances to the contrary; and declaring an emergency
- B. An ordinance amending Chapter 16, Article I, Section 16-3 of the Broken Arrow Code pertaining to Assault and Battery; repealing all ordinances to the contrary; and declaring an emergency
- C. An ordinance amending Chapter 16, Article 8, Section 16-7 of the Broken Arrow Code pertaining to Improper Use of Laser Pointers; repealing all ordinances to the contrary; and declaring an emergency
- D. An ordinance amending Chapter 23, Article II, Section 23-87 of the Broken Arrow Code pertaining to Reckless Driving; repealing all ordinances to the contrary; and declaring an emergency
- E. An ordinance amending Chapter 24, Water, Sewer and Sewage Disposal, Article VI Water Service Charges and Rates, Section 24-608, Water Rates Established and Section 24-609 Special Contract Rates Established of the Broken Arrow Code, repealing all ordinances to the contrary, and declaring an emergency

**12. Ordinances**

- A. Ordinance No. 2979 - an ordinance closing a street over and across a tract of land that is a part of Berwick on Cedar Ridge, Blocks 2, 3, 4, 5, & 6, a Replat of a Part of Cedar Ridge Club Addition (Plat No. 2895) to the City of Broken Arrow, Tulsa County, Oklahoma, filed as Plat No. 6017, more particularly described as all that part of "West Twin Oaks Street" dedicated by Plat No. 6017, and providing for reservation of rights within the closed alleyways, and declaring an emergency

**13. Remarks and Inquiries by Governing Body Members**

**14. Executive Session**

- A. None

**15. Adjournment**

**NOTICE:**

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this \_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
City Clerk